

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

CERTIFICATION FORM

**TO QUALIFY TO VOTE IN A REFERENDUM AMONG PRODUCERS TO LEVY AN EXCISE
TAX ON APPLES**

IMPORTANT: This form must be fully and properly completed.

Eligibility standards for voting in the referendum are set by Section 3.1-636.5 of the Code of Virginia, which states:

“§ 3.1-636.5. Persons eligible to vote. Any producer, as defined in § 3.1-618, in the year preceding the date of the referendum held pursuant to this article shall be eligible to vote in such referendum if he so certifies on forms approved by the Commissioner. Any person, as defined in § 1-13.19 [succeeded by Section 1-230, quoted below], who meets these requirements shall be eligible to vote in the referendum, but no person shall be required to be a qualified voter in any other respect. Such person may vote provided that he is a resident of the Commonwealth or qualified to do business in the Commonwealth. Any person who is not an individual shall vote by its authorized representative.”

“§ 1-230. (Effective October 1, 2005) Person. "Person" includes any individual, corporation, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision, or any other legal or commercial entity and any successor, representative, agent, agency, or instrumentality thereof.”

PLEASE CHECK THE APPROPRIATE SPACES:

The “person” on whose behalf I am seeking to vote [check either A(1) or A(2) below]:

A. (1) ____ is an individual, namely myself.

Please provide your name and address:

Name (First, Middle, Last)

Mailing Address

Telephone Number

City

State

Zip

County

(2) ____ is a corporation, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision, or any other legal or commercial entity and any successor, representative, agent, agency, or instrumentality thereof.

[Name the kind of entity that it is: (for example, a corporation)]

(Please provide the entity's name and address:)

Name

Address

City, State, Zip

B. ____ I certify that, if I am seeking to vote pursuant to "A(2)", above, I am the authorized representative of the named entity.

C. ____ The "person" on whose behalf I am seeking to vote is a resident of the Commonwealth or is qualified to do business in the Commonwealth.

D. ____ The "person" on whose behalf I am seeking to vote was a "producer" in calendar year 2005. During that year, such person, in order to qualify as a producer, must have grown or caused to be grown within the Commonwealth, for sale, a minimum of 5,000 tree run bushels of apples. ("Tree run bushel" means a container, with a content of not less than 2,140 cubic inches or more than 2,500 cubic inches, of apples that have not yet been graded or sized.)

**RETURN THIS COMPLETED FORM NO LATER THAN 5:00 pm ON FEBRUARY 10, 2006
TO:**

VOTER CERTIFICATION—APPLE REFERENDUM
VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
102 GOVERNOR STREET, ROOM 323
RICHMOND, VIRGINIA 23219

Eligible voters will receive a ballot and a pre-addressed official referendum envelope in the mail.